TC 4997

To

Secretary of the

48th session of the

Commission on Human Rights

It is our joint understanding that the Secretary General of the United Nations will fulfill the request addressed to him in paragraph 5 of the attached Statement made by the Chairman of the Commission on Human Rights by submitting a written report to the Commission at its next session.

Geneva, 4th March 1992

Goncalo Santa Clara

Ambassador, Head of the Portuguese Delegation to the 48th session of the Commission on Human Rights

Soemadi Brotodiningrat

Ambassador, Alternate Representative of the Indonesian Delegation to the 48th session of the Commission on Human Rights

4/3/92

Item 12

I have been asked to make the following statement announcing what has been agreed by consensus by the Commission on the situation of human rights in East Timor:

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1. The Commission on Human Rights notes with serious concern the human rights situation in East Timor, and strongly deplores the violent incident in Dili, on 12 November 1991 which resulted in the loss of lives and injuries of a large number of civilians and in many unaccounted for.

2. The Commission welcomes the early decision of the Indonesian Government in setting up a national commission of inquiry and the prompt response which its advance report elicited from the highest Indonesian authorities; expresses its hope that, as announced by the Indonesian Government further investigation into the action of the security personnel on November 12, 1991, and into the fate of those unaccounted for will clarify the remaining discrepancies, namely on the number of people killed and those missing.

3. The Commission is encouraged by the recent announcement by the Indonesian authorities of disciplinary measures and military court proceedings regarding some members of its Armed Forces and urges the Indonesian Government to bring to trial and punish all those found responsible. Furthermore, the Commission calls upon the Indonesian authorities to ensure that all civilians arrested on the occasion are treated humanely, that those brought to trial are assured of proper legal representation and fair trial and that those not involved in violent activities are released without delay.

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4. The Commission welcomes the appointment of Mr. Amos Wako, as Personal Envoy of the Secretary General of the United Nations, to obtain clarification on the tragic events [illegible] 1991 and the willingness of the Indonesian authorities to cooperate fully with him. The Commission encourages the Secretary General to continue his good offices for achieving a just, comprehensive and internationally acceptable settlement of the question of East Timor.

5. The Commission urges the Government of Indonesia to improve the human rights situation in East Timor; commends the report entitled "Visit by the Special Rapporteur to Indonesia and East Timor" of its Special Rapporteur on Torture following his visit at the invitation of the Indonesian Government; urges the Indonesian authorities to take the necessary steps to implement its recommendations and looks forward to a report thereon; calls on the Indonesian government to facilitate access to East Timor for additional humanitarian organizations and for human rights organizations; and requests the Secretary General to continue to follow closely the human rights situation in East Timor and to keep the Commission informed at its 49th session.

6. This statement will be included verbatim in the report of the 48th session of the Commission."

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